

House Study Bill 653 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON SWAIM)

A BILL FOR

1 An Act prohibiting magistrates from acting as counsel in
2 certain cases.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.1605, Code 2009, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. Notwithstanding subsection 2, a
4 magistrate shall not appear as counsel for a client in any
5 criminal or delinquency proceeding in any court within the
6 jurisdiction of the magistrate.

7 EXPLANATION

8 This bill relates to a magistrate acting as counsel for
9 clients in the jurisdiction of appointment.

10 The bill prohibits a magistrate from appearing as counsel
11 for a client in any criminal or delinquency proceeding in any
12 court within the jurisdiction of the magistrate. Current law
13 requires cases where a magistrate appears as counsel within
14 the jurisdiction of the magistrate to be heard by a district
15 associate judge or district judge.